

A RESOLUTION

BY CONCILMEMBER CARLA SMITH



07-*R* -0483

CORRECTING RESOLUTION 06-R-2423 WHICH ENCUMBERED PHASE THREE FUNDING FOR THE MCDANIEL COMBINED SEWER BASIN PROJECT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, FOR THE PURPOSE OF INCLUDING A WATER PROJECT CENTER THAT WAS INADVERTENTLY OMITTED; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance Number 06-R-2423 was adopted by Council November 20, 2006 and approved by the Mayor on November 28, 2006; and

WHEREAS, the McDaniel Combined Sewer Basin Project is required the City's Consent Decree with the Georgia Environmental Protection Division, U.S. Environmental Protection Agency and the Upper Chattahoochee Riverkeeper; and

WHEREAS, the Phase Three funding legislation with Rockdale Pipeline Inc./Integral Municipal Services did not include any water funds for this project and should have; and

WHEREAS, the departments of Finance and Watershed Management both agree this legislation should be amended.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Resolution 06-R-2423 is amended inserting the following project center and amount for the McDaniel Combined Sewer Basin Project **2J28 (2004 Water and Wastewater Bond Fund) 574001 (Fac. other than Buildings) Q65J08209999 (McDaniel Water Line Replacement) \$2,182,850.29.**

SECTION 2: That Resolution 06-R-2423 is further amended by reducing the following project center 2J28 (2004 Water and Wastewater Bond Fund) 574001 (Fac. other than Buildings) Q38I02659999 (McDaniel Street Sewer Separation).by \$2,182,850.29 the amount added in Section 1 above and show a new total of **\$34,887,581.60** for 2J28 (2004 Water and Wastewater Bond Fund) 574001 (Fac. other than Buildings) Q38I02659999 (McDaniel Street Sewer Separation).

SECTION 3: That all resolutions and parts of resolutions in conflict herewith be and are hereby waived.

**RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENCUMBER PHASE THREE (3) FUNDING IN THE AMOUNT OF FORTY SIX MILLION NINETY FOUR THOUSAND TWO HUNDRED FORTY FOUR DOLLARS AND EIGHTY NINE CENTS (\$46,094,244.89) FOR THE AGREEMENT WITH ROCKDALE PIPELINE INC./INTEGRAL MUNICIPAL SERVICES, A JOINT VENTURE, FOR FC-3005007840, MCDANIEL COMBINED SEWER BASIN PROJECT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 2J21 (WATER & WASTEWATER RENEWAL & EXTENSION) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38I02659999 (MCDANIEL STREET SEWER SEPARATION) (\$8,023,813.00); 2J21 (WATER & WASTEWATER RENEWAL AND EXTENSION) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38I026594DA (MCDANIEL STREET SEWER SEPARATION) (\$1,000,000.00); 2J28 (2004 WATER & WASTEWATER BOND FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38I02659999 (MCDANIEL STREET SEWER SEPARATION) (\$37,070,431.89); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement for FC-3005007840, McDaniel Combined Sewer Basin Project ("Project") with Rockdale Pipeline Inc./Integral Municipal Services, a Joint Venture on April 29, 2005; and

WHEREAS, the Project is required by the City's Consent Decree with the Georgia Environmental Protection Division, U. S. Environmental Protection Agency and the Upper Chattahoochee Riverkeeper; and

WHEREAS, the City Council adopted 05-R-0623, which authorized the contract and provided for phased funding of the Project, with a total contract amount not to exceed Ninety Three Million Three Hundred Twenty Four Thousand Ninety Dollars and Sixty Cents (\$93,324,090.60); and

WHEREAS, the Department of Watershed Management did appropriate funds for Phase One (1) of the Project in an amount of Thirty Two Million Six Hundred Sixty Three Thousand Four Hundred Thirty One Dollars and Seventy One Cents (\$32,663,431.71) as adopted by the City Council in 05-R-0623; and

WHEREAS, the Department of Watershed Management did appropriate funds for Phase Two (2) of the Project in an amount of Fourteen Million Five Hundred Sixty Six Thousand Four Hundred Fourteen Dollars (\$14,566,414.00) as adopted by City Council in 05-R-2324; and

WHEREAS, sufficient funds are available for the 2007 calendar year and the cash flow projections for the Phase Three (3) final funding require Forty Six Million Ninety Four Thousand Two Hundred Forty Four Dollars and Eighty Nine Cents (\$46,094,244.89).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor or designee is authorized to encumber Phase Three (3) final funding for FC-3005007840, McDaniel Combined Sewer Basin Project with Rockdale Pipeline Inc./Integral Municipal Services, a Joint Venture, for the 2007 calendar year of the agreement in an amount of Forty Six Million Ninety Four Thousand Two Hundred Forty Four Dollars and Eighty Nine Cents (\$46,094,244.89).

BE IT FURTHER RESOLVED, that the City has adhered to the terms and conditions of the Phase Three (3) Funding requirements for this agreement.

BE IT FINALLY RESOLVED, that all services for said contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2J21 (Water & Wastewater Renewal & Extension) 574001 (Facilities Other Than Buildings) Q38I02659999 (McDaniel Street Sewer Separation) (\$8,023,813.00); 2J21 (Water & Wastewater Renewal & Extension) 574001 (Facilities Other Than Buildings) Q38I026594DA (McDaniel Street Sewer Separation) (\$1,000,000.00); 2J28 (2004 Water & Wastewater Bond Fund) 574001 (Facilities Other Than Buildings) Q38I02659999 (McDaniel Street Sewer Separation) (\$37,070,431.89).

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

NOV 20, 2006
NOV 28, 2006

WHEREAS, sufficient funds are available for the 2007 calendar year and the cash flow projections for the Phase Three (3) final funding require Forty Six Million Ninety Four Thousand Two Hundred Forty Four Dollars and Eighty Nine Cents (\$46,094,244.89).

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows; that the Mayor or designee is authorized to encumber Phase Three (3) final funding for FC-3005007840, McDaniel Combined Sewer Basin Project with Rockdale Pipeline Inc./Integral Municipal Services, a Joint Venture, for the 2007 calendar year of the agreement in an amount of Forty Six Million Ninety Four Thousand Two Hundred Forty Four Dollars and Eighty Nine Cents (\$46,094,244.89).

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